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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 MARIA LOURDES DELA TORRE,	) Case No.: 1:23-cv-1160 JLT BAM
12 Plaintiff,	) ORDER REMANDING THE MATTER
13 v.	) PURSUANT TO SENTENCE FOUR OF 42 U.S.C.
14 MARTIN O'MALLEY <sup>1</sup> ,	) § 405(g) AND TERMINATING PLAINTIFF'S
15 Commissioner of Social Security,	) MOTION FOR SUMMARY JUDGMENT AS
16 Defendant.	) MOOT
	) (Docs. 19, 23)
	) ORDER DIRECTING ENTRY OF JUDGMENT IN
	) FAVOR OF PLAINTIFF MARIA LOURDES
	) DELA TORRE AND AGAINST DEFENDANT
	) MARTIN O'MALLEY, COMMISSIONER OF
	) SOCIAL SECURITY

19 Maria Lourdes Dela Torre and Martin O'Malley, Commissioner of Social Security, stipulated  
20 to a voluntary remand of Plaintiff's application for benefits for further administrative proceedings  
21 pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 23.) Pursuant to the stipulation of the parties,  
22 "the Commissioner will offer Plaintiff the opportunity for a hearing; develop the record as necessary;  
23 and issue a new decision." (*Id.*) The parties also stipulated that the final decision of the  
24 Commissioner denying benefits is reversed, and judgment shall be entered in favor of Plaintiff and  
25 against the Defendant. (*Id.* at 2.) Based upon the terms of the stipulation, the Court **ORDERS**:

- 26 1. The matter is **REMANDED** for further administrative proceedings under sentence four  
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28 <sup>1</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court substitutes Martin O'Malley for Kilolo Kijakazi as the defendant in this action.

1 of 42 U.S.C. § 405(g).

2 2. Plaintiff's motion for summary judgment (Doc. 19) is terminated as **MOOT**.

3 3. The Clerk of Court is directed to enter judgment in favor of Plaintiff Maria Lourdes  
4 Dela Torre and against Defendant Martin O'Malley, the Commissioner of Social  
5 Security.

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7 IT IS SO ORDERED.

8 Dated: **May 8, 2024**

  
UNITED STATES DISTRICT JUDGE